

REMARKS

Claims 36-45 and 58-60 are amended herein and claims 35 and 54-57 are cancelled without prejudice or disclaimer, for purposes of seeking an expedited allowance of the currently allowed claims. Applicant reserves the right to seek patent protection for the subject matter of any rejected and/or cancelled claim in a further patent application. By the present Amendment, claims 1-34, 36-53 and 58-60 are pending in the application.

By the present Amendment, claim 59 is amended to be in independent form, including features of the base claim 35 and intervening claim 57. In addition, each of claims 36-45, 58 and 60 (which was previously dependent on either the base claim 35 or intervening claim 57) is amended to be dependent on claim 59. Accordingly, no new matter is added by the present Amendment and entry and consideration of the present Amendment are requested.

Claims 35-36 and 38-46 were rejected under 35 U.S.C. 102(b) as being anticipated by Canipe (USP 5,786,763). In addition, claims 37, 47-58 and 60 were rejected under 35 U.S.C. 103(a) as being unpatentable over Canipe. However, claims 47-53 are each dependent (directly or indirectly) on allowed claim 1 and, thus, are believed to be included in the allowed set of claims, as indicated in Section 7 of the Office Action. With regard to cancelled claims 35 and 57, the rejections are moot. With regard to claims 36-56, 58 and 60, the rejections are respectfully traversed, in view of the following remarks.

Applicant notes with appreciation, the Examiner's statement that claim 59 is objected to as being dependent on a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. By the present Amendment, claim 59 is amended to be in independent form and to include the features of base claim 35 and intervening claim 57. Accordingly, it is respectfully submitted that claim 59 is in condition for allowance, as stated by the Examiner. Withdrawal of the objection to claim 59 is, therefore, requested.

Applicant further notes with appreciation, the Examiner's statement that claims 1-34 and 47-53 are allowed. Those claims remain in the application, in their allowed form.

As noted above, while claims 47-53 are included in the list of claims rejected under 35 U.S.C. 103(a) as being unpatentable over Canipe, those claims are dependent (directly or indirectly) on allowed claim 1 and were identified in Section 7 of the Office Action as being allowed. Accordingly, it is submitted that claims 47-53 are also in condition for allowance (and any rejection thereof in the Office Action of December 13, 2005, is respectfully traversed).

Also by the present Amendment, each of claims 36-45 and 60 are amended to be dependent upon allowable claim 59. Accordingly, it is submitted that dependent claims 36-45 and 60 are each in condition for allowance. The rejection of those claims is, therefore, also respectfully traversed.

In view of the forgoing, it is believed that the application is in condition for allowance. Reexamination and reconsideration of the application are requested. If the Examiner believes that the application is not in condition for allowance for any reason, the Examiner is requested to contact the undersigned attorney at the Los Angeles telephone number (310) 975-7963, to discuss steps that the Examiner may believe are needed to place the application in condition for allowance.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 05-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit

Account No. 05-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 05-0872.

Respectfully submitted,

Date: March 22, 2006

FOLEY & LARDNER LLP

Customer Number: 23392

Telephone: (310) 975-7963

Facsimile: (310) 557-8475

By: 

Ted R. Rittmaster

Attorney for Applicant

Registration No. 32,933